

FEB 23 2009

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February 23, 2009

**VIA FACSIMILE**

To: Examiner: David J. Makiya  
Group Art Unit: 2885  
U.S.P.T.O.

Facsimile No.: 571-273-8300

From: Scott M. Tulino, Esq.


Facsimile No.: 703-761-2375 or 76

Re: Amendment Under 37 C.F.R. § 1.116  
U.S. Patent Application Serial No.: 10/521,943  
Our Ref. No.: HIR.135

Dear Examiner Makiya:

Attached herewith is an Amendment under 37 C.F.R. § 1.116 which is responsive to the Final Office Action dated December 23, 2008. Thank you in advance for your kind consideration on this case.

Very truly yours,

  
Scott M. Tulino, Esq.  
Registration No. 48,317

Sean M. McGinn, Esq.  
Registration No. 34,386

SMT:SMM  
Attachment  
Number of pages (including this cover sheet): 19

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FEB 23 2009

Serial No. 10/521,943 1  
Docket No. PTGF-04078US  
(HIR.135)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Yoshinobu Suehiro, et al.

Serial No.: 10/521,943

Group Art Unit: 2885

Filed: April 11, 2005

Examiner: David J. Makiya

For: LIGHT EMITTING APPARATUS

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450  
Box AFAMENDMENT UNDER 37 C.F.R. § 1.116

Sir:

In response to the Office Action dated December 23, 2008, please amend the above-identified application as follows:

INTRODUCTORY COMMENTS

Amendments to the claims begin on page 2 of this paper. The amendments to the claims do not add new matter.

Remarks begin on page 9 of this paper.